

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Application By: Foxhollow North Kent Developments Inc.
2700 Buroak Drive

Meeting on: January 18, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Foxhollow North Kent Developments Inc. relating to the property located at 2700 Buroak Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 2, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R6 (h-h-54-h-71-h-95-h-100-R6-5) Zone **TO** a Residential R6 (R6-5) Zone and **FROM** a Holding Residential R6/R7/R8 (h-h-54-h-71-h-95-h-100-R6-5/R7-H15-D75/R8-H15-D75) Zone **TO** a Residential R6/R7/R8 (R6-5/R7-H15-D75/R8-H15-D75) Zone to remove the "h, h-54, h-71, h-95 and h-100" holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h, h-54, h-74, h-95 and h-100" holding symbols from the subject site to permit the development of a 70 unit cluster townhouse development.

Rationale of Recommended Action

The conditions for removing the holding provisions have been satisfied, as the required by Zoning By-law Z.-1. Specifically, security has been submitted, and a development agreement has been signed.

The approved site plan and development agreement ensure the proposed development achieves street orientation and implements the urban design concepts established through the Official Plan and/or Zoning amendment review process. The applicant has also demonstrated that the required noise attenuation measures have been implemented and that there is adequate water service and appropriate access through a looped watermain. All issues have been resolved and the holding provisions are no longer required.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

The subject site was included as part of the Kent Subdivision which was originally accepted on November 17, 2004. After several modified versions of the plan, it was draft approved by the Approval Authority on October 14, 2009. The first and second phase of this subdivision have been registered as 33M-730 & 33M-750 while Phase 3A

was registered on June 2nd, 2020 as 33M-784 and Phase 3B on December 17, 2020 as 33M-793. The subject site, 2700 Buroak Drive, was created through Phase 2 of the subdivision as Block 122 of Plan 33M-750.

1.1 Property Description

The subject site is in the northwest quadrant of the City and is included in the Foxhollow Community Plan. The property is bounded by Sunningdale Road West to the north, Fair Oaks Blvd to the west and Buroak Drive to the south. The proposal consists of one medium density residential block within a plan of subdivision (Block 122, Plan 33M-750). The site has full access to municipal services and is located in an area which is planned for future growth.

1.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, High Density Residential
- Existing Zoning – Holding Residential R6 (h-h-54-h-71-h-95-h-100-R6-5) Zone **and** Holding Residential R6/R7/R8 (h-h-54-h-71-h-95-h-100-R6-5/R7-H15-D75/R8-H15-D75)

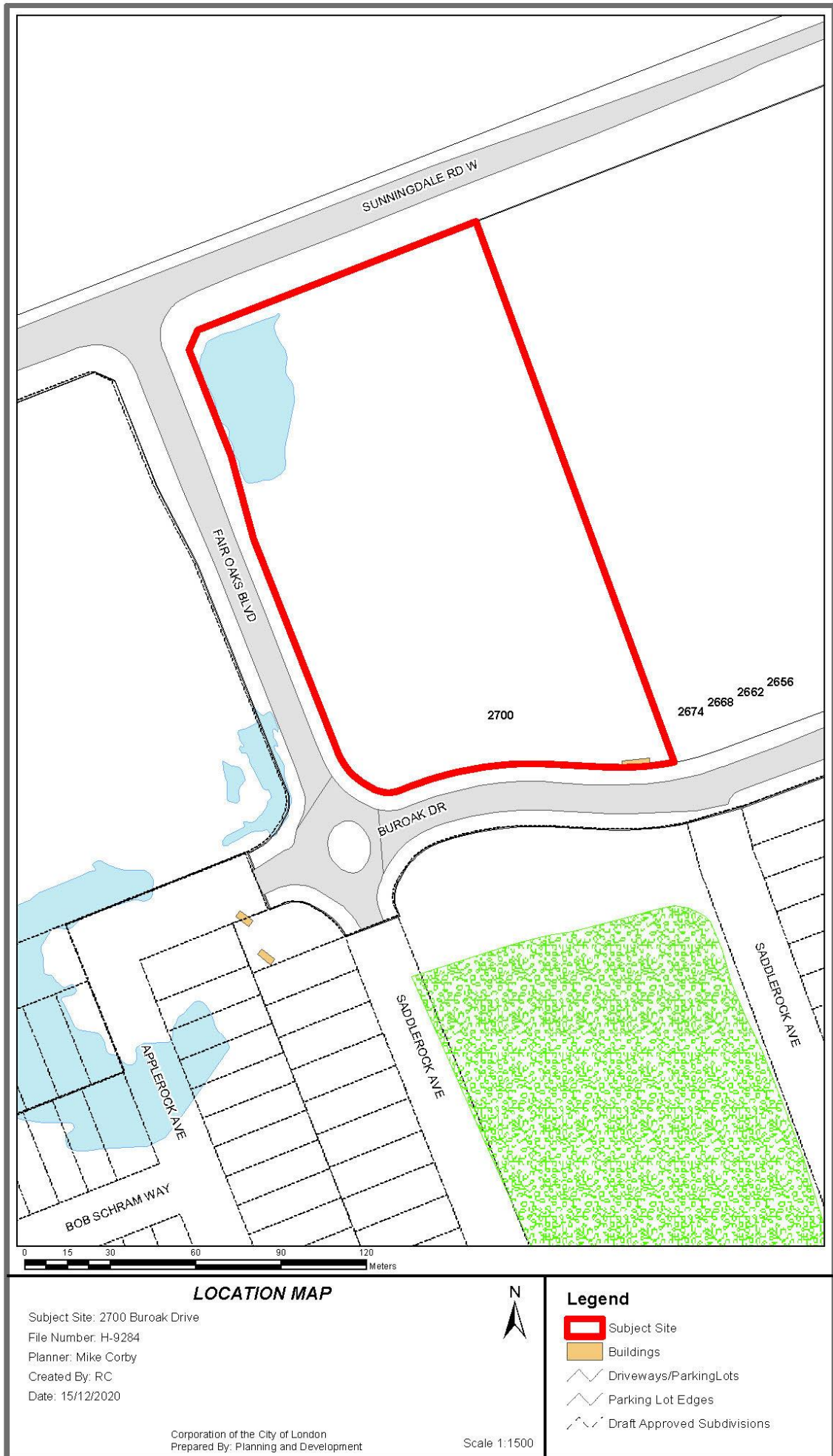
1.3 Site Characteristics

- Current Land Use – undeveloped
- Frontage – 104.9 metres
- Depth – irregular
- Area – 2.04 ha (5.05 acres)
- Shape – irregular

1.4 Surrounding Land Uses

- North – Agricultural
- East – Future Residential
- South – Future Open Space/Residential
- West – Future Residential

1.5 Location Map



2.0 Discussion and Considerations

The applicant is requesting the removal of the “h, h-54, h-71, h-95 and h-100” holding provisions from the Zone on the subject lands. The “h” holding provision requires that the securities be received, and a development agreement be executed by the owner. The h-54 ensures there are no land use conflicts between arterial roads and the proposed residential uses. The h-54 shall not be deleted until the owner agrees to implement all recommended noise attenuation measures, in the accepted noise assessment reports. The h-71 requires the Owner to prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved). The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol. The h-95 ensures that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented. A development agreement will be entered into which incorporates these concepts and addresses identified Urban Design issues. The “h-100” requires adequate water service and appropriate access, a constructed looped watermain system and a second public access to the satisfaction of the City Engineer.

The requested amendment will facilitate the development of a 70 unit, cluster townhouse development. Private access will be provided off Buroak Drive with the proposed development registered as a phased condominium.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

The “h” holding provision states:

“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”

The Applicant has provided the necessary securities and has entered into a development agreement with the City. This satisfies the requirement for the removal of the “h” holding provision.

The “h-54” holding provision states:

“To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.”

The approved site plan and associated development agreement implements the required noise attenuation measures identified in the noise assessment report.

The “h-71” holding provision states:

“To encourage street orientation development, the Owner shall prepare a building orientation plan which demonstrates how the front façade of the dwelling units can be oriented to all abutting streets (except where a noise barrier has been

approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the "h-71" symbol."

The approved site plan and associated development agreement achieves the desired street orientation.

The "h-95" holding provision states:

To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues.

Urban Design Staff have confirmed that urban design concepts established through the Official Plan and/or Zoning amendment review process have been implemented and a development agreement has been entered into which incorporates these concepts and addresses identified urban design issues.

The "h-100" holding provision states:

"To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol."

Permitted Interim Uses: A maximum of 80 residential units

Through the site plan approval process, Development Engineering staff confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. The proposed developments do not exceed 80 residential units therefore the h-100 (for water servicing) can be removed specific to blocks 6.

This satisfies the requirement for the removal of the "h-100" holding provision.

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. The approved site plan and development agreement ensure the proposed development achieves street orientation and the urban design concepts established through the Official Plan and/or Zoning amendment review process. The applicant has also demonstrated that the required noise attenuation measures have been implemented and that there is adequate water service and appropriate access through a looped watermain. Therefore, the required conditions have been met to remove the “h, h-54, h-71, h-95 and h-100” holding provisions. The removal of the holding provisions is recommended to Council for approval.

Prepared by:

Mike Corby, MCIP RPP
Senior Planner, Development Services

Submitted by:

Paul Yeoman, RPP PLE
Director, Development Services

Recommended by:

George Kotsifas, P.ENG
Managing Director, Development and Compliance
Services and Chief Building Official

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Mike Pease, Manager, Development Planning

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Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2700 Buroak Drive.

WHEREAS Foxhollow North Kent Developments Inc. has applied to remove the holding provisions from the zoning for the lands located at 2700 Buroak Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2700 Buroak Drive, as shown on the attached map, to remove the h, h-54, h-71, h-95 and h-100 holding provisions so that the zoning of the lands as a Residential R6 (R6-5) Zone and Residential R6/R7/R8 (R6-5/R7*H15*D75/R8*H15*D75) Zone come into effect.
2. This By-law shall come into force and effect on the date of passage.

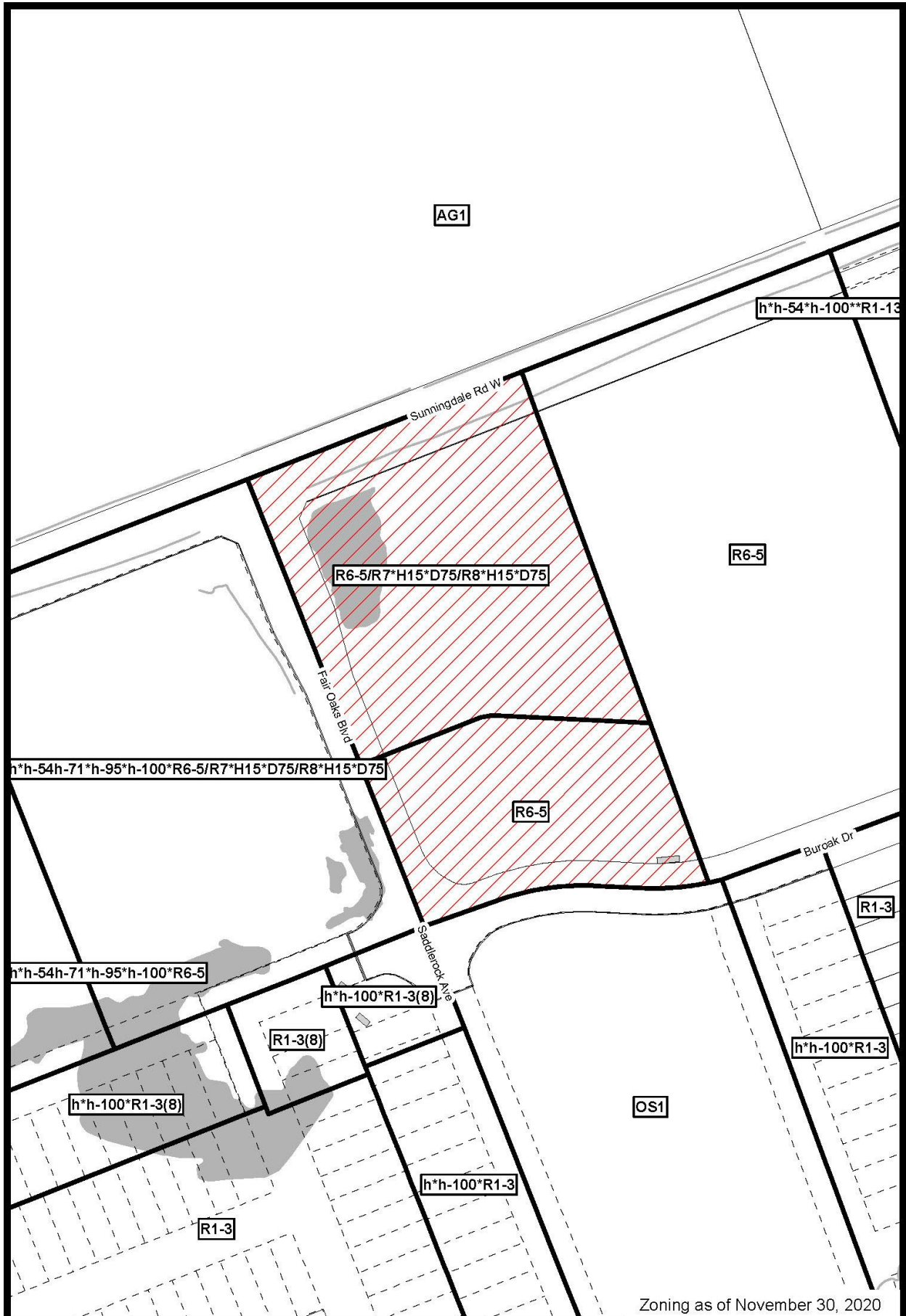
PASSED in Open Council on February 2, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 2, 2021
Second Reading – February 2, 2021
Third Reading – February 2, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9284
Planner: MC
Date Prepared: 2020/12/15
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE



1:2,000

0 10 20 40 60 80
Meters



Appendix B – Public Engagement

Community Engagement

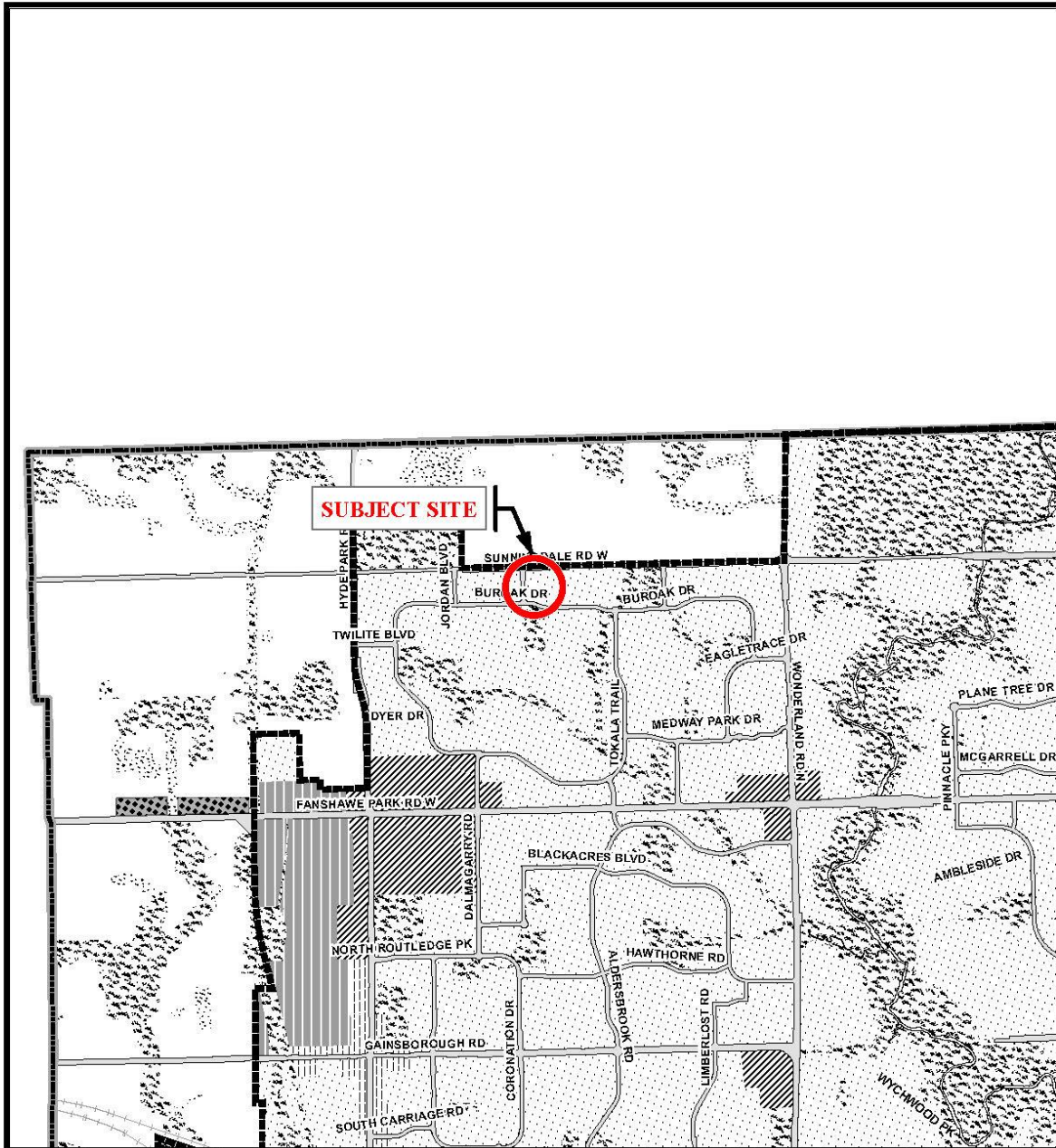
Public liaison: Notice of the application was published in the Londoner on December 10, 2020

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, “h-54”, “h-71”, “h-95”, and “h-100” Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol’s permitting 69 dwelling units, within multiple townhouses and a new private road providing access from Buroak Drive. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a development agreement has been entered into for the subject lands. The purpose of the “h-54” provision is to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London. The purpose of the “h-71” provision is to encourage street orientated development that will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol. The purpose of the “h-95” provision is to ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues. The removal of the “h-100” provision is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than January 18, 2021.

Appendix C – Relevant Background

London Plan Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

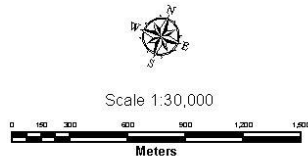
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

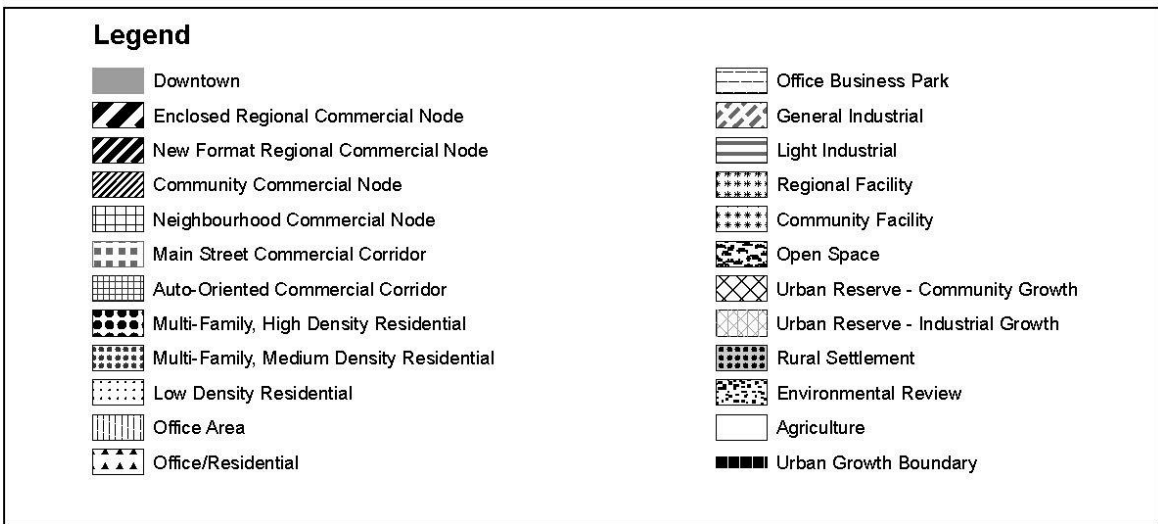
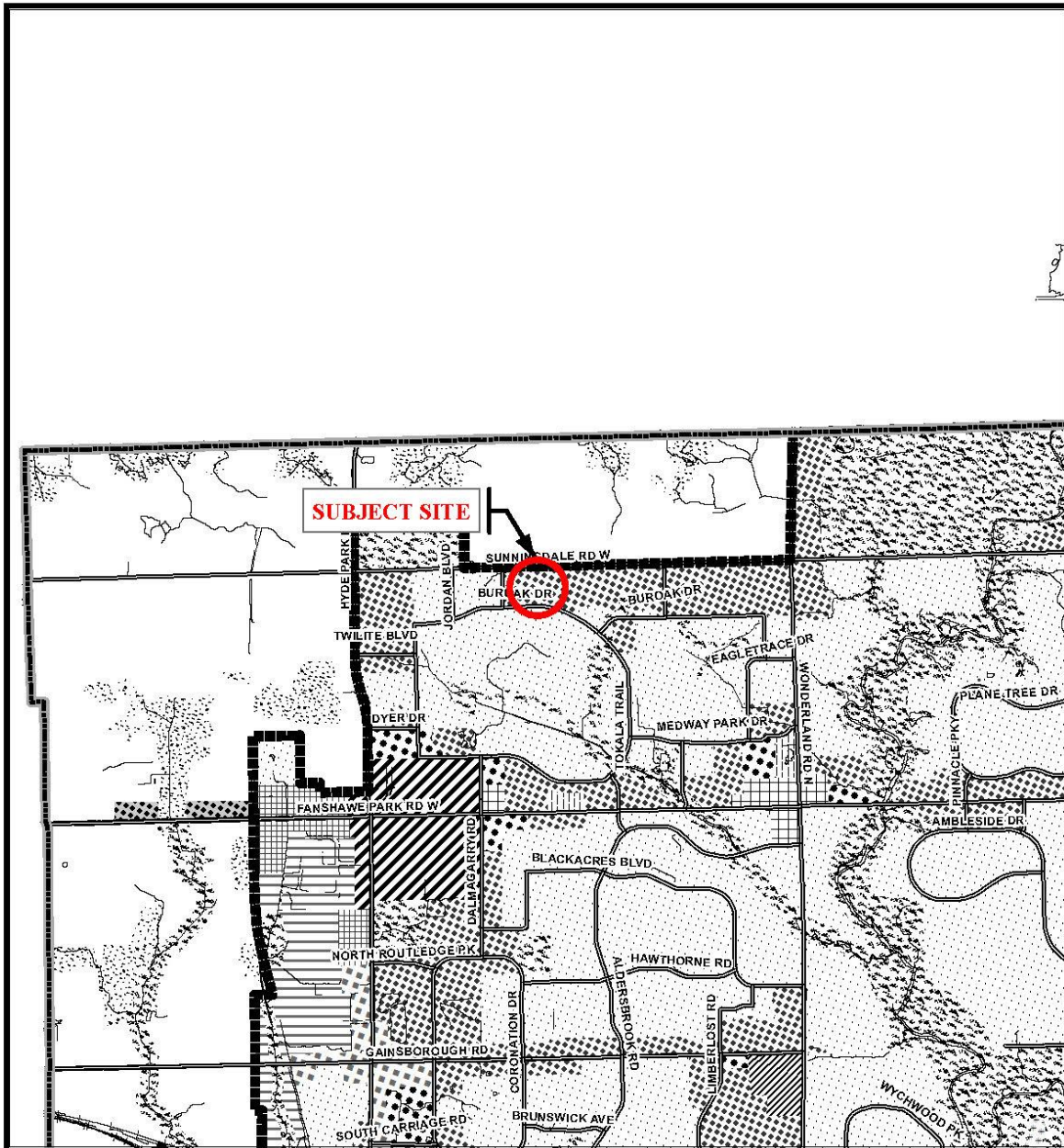
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

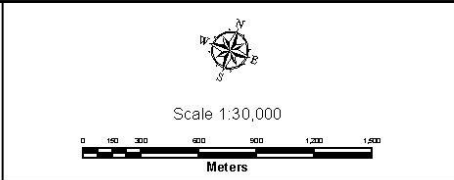


File Number: H-9284
Planner: MC
Technician: RC
Date: December 15, 2020

1989 Official Plan Excerpt



CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9284
 PLANNER: MC
 TECHNICIAN: RC
 DATE: 2020/12/15

Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | OB - OFFICE BUSINESS PARK |
| R10 - HIGH DENSITY APARTMENTS | LI - LIGHT INDUSTRIAL |
| R11 - LODGING HOUSE | GI - GENERAL INDUSTRIAL |
| DA - DOWNTOWN AREA | HI - HEAVY INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| CSA - COMMUNITY SHOPPING AREA | UR - URBAN RESERVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | AG - AGRICULTURAL |
| BDC - BUSINESS DISTRICT COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| AC - ARTERIAL COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| RSC - RESTRICTED SERVICE COMMERCIAL | RT - RAIL TRANSPORTATION |
| CC - CONVENIENCE COMMERCIAL | "h" - HOLDING SYMBOL |
| SS - AUTOMOBILE SERVICE STATION | "D" - DENSITY SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL |
| OR - OFFICE/RESIDENTIAL | "B" - BONUS SYMBOL |
| OC - OFFICE CONVERSION | "T" - TEMPORARY USE SYMBOL |
| RO - RESTRICTED OFFICE | |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z.-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

H-9284

MC

MAP PREPARED:

2020/12/15

RC

1:2,000

0 10 20 40 60 80 Meters